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22761**FACSIMILE BROWN MARTIN HALLER & McCLAIN**TO FAX NO.: 1-703-308-2571**FAX RECEIVED**ATTENTION: Examiner Jeffrey A. Shapiro
Group Art Unit 5351FROM: J.W. McClain

DEC 25 2001

**Attorneys at Law
Patents, Trademarks,
Copyrights, Franchising****GROUP 3600**1660 Union Street
San Diego, California 92101-2926Number of pages: 7
(including cover page)Date of transmission: December 25, 2001Phone: (619) 238-0999
Facsimile: (619) 238-0062Attorney Docket No.: 7480 PA1CP2**- IMPORTANT CONFIDENTIALITY INFORMATION -**

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Re: Patent Application Ser No. 09/364,794, filed July 30, 1999, for VACUUM PNEUMATIC SYSTEM FOR CONVEYANCE OF ICE; Inventor(s): J. Eric Berge et al.

Submitted herewith by facsimile are the following papers:

- A. Supplemental Response under 37 C.F.R. § 1.116 [4 pages]
- B. Transmittal Form (PTO/SB/21) [1 page]
- C. Fee Transmittal for FY 2002 (PTO/SB/17) [1 page]
- D. This Facsimile Cover Sheet [1 page]

The Patent and Trademark Office is authorized to charge Deposit Account No. 02-4070 for all fees, if any, associated with submission of this correspondence.

Respectfully submitted,

James W. McClain
Attorney for Applicants
Reg. No. 24,536

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amendment

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DEC 25 2001

GROUP 3630

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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

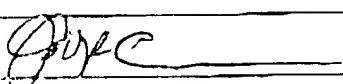
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/364,794
		Filing Date	July 30, 1999
		First Named Inventor	J. Eric Berge
		Group Art Unit	3651
		Examiner Name	Jeffrey A. Shapiro
Total Number of Pages In This Submission	7	Attorney Docket Number	74801 PA1CP2

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply Supplemental	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Facsimile Transmittal Sheet
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James W. McClain, Reg. No. 24,536
Signature	
Date	December 25, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on the date:

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PTO/SB/17 (11-01)

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FEE TRANSMITTAL

for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 0.00)

Complete if Known

Application Number	09/364,794
Filing Date	July 30, 1999
First Named Inventor	J. Eric Berge
Examiner Name	Jeffrey A. Shapiro
Group Art Unit	3651
Attorney Docket No.	7480 PA1CP2

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
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FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1) (\$ 0.00)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	x	=
			-3** =	x	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0.00)		

** or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 820	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,980	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 840	Utility issue fee (or reissue)	
143 480	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
128 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$ 0.00)	

Complete if applicable

SUBMITTED BY	Name (Print/Type)	James W. McClain	Registration No. (Attorney/Agent)	24,536	Telephone	619-238-0999
Signature		<i>[Signature]</i>			Date	12/25/01

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of) FOR: VACUUM PNEUMATIC SYSTEM FOR
J. ERIC BERGE ET AL.) CONVEYANCE OF ICE
Serial No.: 09/364,794)
Filing Date: July 30, 1999) Group Art Unit: 3651

SUPPLEMENTAL RESPONSE UNDER 37 C.F.R. § 1.116

Hon. Commissioner for Patents
Washington, D.C. 20231

Attention: Jeffrey A. Shapiro
Examiner

Dear Sir:

This communication is yet further in response to the Office Action designated Paper No. 14.

Please amend the above-identified patent application as follows:

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to Fax No. (703) 308-2571

on December 25, 2001

James W. McClain
(Name)



December 25, 2001
(Date of Signature)

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JS
12/28/02